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| UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY | |
| RAS Crane, LLC 10700 Abbott's Bridge Road, Suite 170 Duluth, GA 30097 Telephone Number 470-321-7112 Attorneys for Secured Creditor U.S. Bank National Association, As Trustee for Banc of America Funding 2009-FT1 Trust, Mortgage Pass-Through Certificates, Series 2009-FT1 Laura Eggerman, Esq. (LE-8250) | CASE NO.: 18-30084-JKS CHAPTER 13 Objection to Confirmation of Debtor's Chapter 13 Plan |
| In Re: William Carl Muller and Anita Marjorie Muller, Debtors. | |

OBJECTION TO CONFIRMATION OF DEBTOR'S CHAPTER 13 PLAN

U.S. Bank National Association, As Trustee for Banc of America Funding 2009-FT1 Trust, Mortgage Pass-Through Certificates, Series 2009-FT1 ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtor's Chapter 13 Plan (DE # 2), and states as follows:

1. Debtors, William Carl Muller and Anita Marjorie Muller ("Debtors"), filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on October 9, 2018.
2. Secured Creditor holds a security interest in the Debtors' real property located at 219 Highland Ave, Bergen Rivervale, NJ 07675, by virtue of a Mortgage recorded on September 29, 2003 in Book 12931, at Page 604 of the Public Records of Bergen County, NJ. Said Mortgage secures a Note in the amount of \$110,000.00.
3. The Debtor filed a Chapter 13 Plan on October 9, 2018.
4. The Plan adequately proposes to pay Secured Creditor in full as the loan matured on July 29, 2018. However, the total debt amount provided in the plan is insufficient. Secured

Creditor anticipates to file a Proof of Claim with a total claim amount of \$84,052.76, whereas the Plan asserts that the total claim amount is \$79,459.53. Secured Creditor objects to any plan that proposes to pay anything less than \$84,052.76 as the total debt throughout the length of the Plan.

5. The Plan does not appear feasible due to insufficient treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtor's Plan, and for such other and further relief as the Court may deem just and proper.

RAS Crane, LLC
Attorney for Secured Creditor
10700 Abbott's Bridge Road, Suite 170
Duluth, GA 30097
Telephone Number 470-321-7112

By: /s/Laura Egerman
Laura Egerman, Esquire
NJ Bar Number LE-8250
Email: legerman@rasnj.com

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CERTIFICATION OF SERVICE

1. I, Laura Egerman, represent U.S. Bank National Association, As Trustee for Banc of America Funding 2009-FT1 Trust, Mortgage Pass-Through Certificates, Series 2009-FT1 in this matter.
2. On 11/9/2018, I caused a copy of the following pleadings and/or documents to be sent to the parties listed in the chart below.
3. I certify under penalty of perjury that the above documents were sent using the mode of service indicated.

11/9/2018

RAS Crane, LLC
Attorney for Secured Creditor
10700 Abbott's Bridge Road, Suite 170
Duluth, GA 30097
Telephone Number 470-321-7112
By: /s/Laura Egerman
Laura Egerman, Esquire
NJ Bar Number LE-8250
Email: legerman@rasnj.com

| <u>Name and Address of Party Served</u> | <u>Relationship of Party to the Case</u> | <u>Mode of Service</u> |
|--|--|--|
| John F. Murano Murano & Roth, LLC 800 Kinderkamack Road - Suite 202N Oradell, NJ 07649 | Attorney for Debtor | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| William Carl Muller 219 Highland Avenue River Vale, NJ 07675 | Debtor | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| Anita Marjorie Muller 219 Highland Avenue River Vale, NJ 07675 | Debtor | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004 | Trustee | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |
| U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102 | U.S. Trustee | <input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified Mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other (as authorized by the court*) |